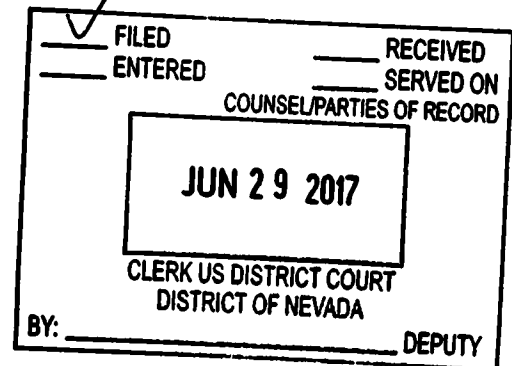


1 ADAM PAUL LAXALT  
Attorney General  
2 CLARK G. LESLIE (Bar No. 10124)  
Chief Deputy Attorney General  
3 JARED M. FROST (Bar No. 11132)  
Senior Deputy Attorney General  
4 State of Nevada  
Office of the Attorney General  
5 555 East Washington Avenue  
Suite 3900  
6 Las Vegas, Nevada 89101  
(702) 486-3177 (phone)  
7 (702) 486-3773 (fax)  
Email: jfrost@ag.nv.gov

8 *Attorneys for Defendants Taerik Berry,*  
9 *Yaqub Mustafaa, Jeremiah Schultz,*  
10 *Brian Williams, and James G. Cox*



11  
12  
13 UNITED STATES DISTRICT COURT  
14 DISTRICT OF NEVADA

*ORDER*

15 CHRISTOPHER A. JONES,

16 Plaintiff,

17 vs.

18 HOWARD SKOLNIK, *et al.*,

19 Defendants.  
20

Case No. 3:10-cv-00162-LRH-VPC

**DEFENDANTS' UNOPPOSED  
MOTION TO EXCUSE THE  
PARTICIPATION OF JARED M.  
FROST AT THE JULY 2017  
SETTLEMENT CONFERENCE**

**Settlement Conference Set For  
July 11, 2017**

21  
22 Defendants Taerik Berry, Yaqub Mustafaa, Jeremiah Schultz, Brian Williams, and  
23 James G. Cox, by and through counsel, Adam Paul Laxalt, Attorney General of the State  
24 of Nevada, Clark G. Leslie, Chief Deputy Attorney General, and Jared M. Frost, Senior  
25 Deputy Attorney General, hereby submit this motion to excuse the participation of  
26 Jared M. Frost at the July 2017 settlement conference. This motion is made and based on  
27 the following points and authorities, the attached Declaration of Counsel, the pleadings  
28 and papers on file herein, and any other evidence the Court deems appropriate to consider.

1 **I. BACKGROUND**

2 This is an inmate civil rights lawsuit filed pursuant to 42 U.S.C. section 1983.

3 On April 26, 2017, Plaintiff filed a motion for a global settlement conference. ECF  
4 No. 572. On June 2, 2017, the Court ordered the scheduling of a global settlement  
5 conference for July 11, 2017, in Reno, Nevada. ECF No. 576. The settlement conference is  
6 to encompass this matter and two additional matters: *Jones v. Bannister*, Case No. 3:16-  
7 cv-00399; and *Jones v. Neven*, Case No. 2:07-cv-01088. *Id.*

8 In its order scheduling the global settlement conference, the Court specified that  
9 “[a]ll counsel of record who will be participating in the trial of this case, all parties  
10 appearing pro se, if any, and all individual parties must be present.” *Id.* at 1. The Court  
11 further specified that “[a]ll parties and counsel should make arrangements to be present  
12 at the settlement conference for the entire day.” *Id.*

13 On June 13, 2017, Plaintiff filed a motion to appear personally at the July 2017  
14 settlement conference. ECF No. 580.

15 On June 14, 2017, Defendants filed an omnibus motion to excuse their participation  
16 at the July 2017 settlement conference. ECF No. 581. Plaintiff did not oppose the motion.  
17 ECF No. 582.

18 On June 20, 2017, the Court granted Defendants’ omnibus motion in part. ECF No.  
19 583. Pursuant to the Court’s order , Defendant Isidro Baca is required to attend the July  
20 2017 conference, and the participation of all other Defendants is excused. *Id.*

21 On June 21, 2017, all remaining Defendants in this case filed a Notice Of Intent To  
22 Proceed By Joint Representation. ECF No. 584.

23 On June 26, 2017, the Court granted Plaintiff’s motion to appear personally at the  
24 July 2017 settlement conference. ECF No. 587.

25 This motion to excuse the participation of Jared M. Frost follows.

26 ///

27 ///

28 ///

1 **II. ARGUMENT**

2 Good cause supports excusing Jared M. Frost from participating at the July 2017  
3 settlement conference. In addition to an NDOC representative, Warden Baca, and the Tort  
4 Claims Manager, there are three attorneys planning to attend the settlement conference  
5 on behalf of the various Defendants: Chief Deputy Attorney General Clark Leslie, Deputy  
6 Attorney General Ben Johnson, and Deputy Attorney General Ian Carr. Each of these  
7 attorneys is based in Northern Nevada. However, the undersigned is based in Las Vegas  
8 and would be required to travel and accrue related costs for the conference. *See Exhibit 1*  
9 (Declaration of Counsel).

10 In addition, Defendants submit that the undersigned's participation in the July 2017  
11 settlement conference is unnecessary. All Defendants in this matter recently filed a Notice  
12 Of Intent To Proceed By Joint Representation, informing the Court that they had waived  
13 any potential conflict in this matter. *See ECF No. 584*. Consequently, Defendants Berry  
14 and Mustafaa will not require separate counsel at the settlement conference, and Mr. Leslie  
15 will be able to adequately represent the interests of all Defendants in this case.

16 Furthermore, Plaintiff does not object to Defendants' request, and the motion is  
17 consequently unopposed. *See Exhibit 1*.

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 **III. CONCLUSION**

2 The Court should grant Defendants' motion to excuse the participation of Jared M.  
3 Frost at the July 2017 settlement conference.

4 DATED this 27th day of June, 2017.

5 ADAM PAUL LAXALT  
6 Attorney General

7 By: /s/ Jared M. Frost  
8 JARED M. FROST (Bar No. 11132)  
9 Senior Deputy Attorney General  
10 CLARK G. LESLIE (Bar No. 10124)  
11 Chief Deputy Attorney General

12 *Attorneys for Defendants*

13 IT IS SO ORDERED.

14  
15 DATED June 29, 2017.

16  
17  
18   
19 UNITED STATES MAGISTRATE JUDGE  
20  
21  
22  
23  
24  
25  
26  
27  
28

**CERTIFICATE OF SERVICE**

I certify that I am an employee of the State of Nevada, Office of the Attorney General, and that on June 27, 2017, I electronically filed the foregoing **DEFENDANTS' UNOPPOSED MOTION TO EXCUSE THE PARTICIPATION OF JARED M. FROST AT THE JULY 2017 SETTLEMENT CONFERENCE** via this Court's electronic filing system. Parties who are registered with this Court's electronic filing system will be served electronically. For those parties not registered, service was made by depositing a copy for mailing in the United States Mail, first-class postage prepaid, at Las Vegas, Nevada, addressed to the following:

Christopher A. Jones, #50600  
Northern Nevada Correctional Center  
P.O. Box 7000  
Carson City, Nevada 89702  
*Plaintiff Pro Se*

/s/ Carol A. Knight  
CAROL A. KNIGHT, an employee of the  
Office of the Nevada Attorney General

# EXHIBIT 1

## Declaration of Counsel

EXHIBIT 1

1 ADAM PAUL LAXALT  
Attorney General  
2 CLARK G. LESLIE (Bar No. 10124)  
Chief Deputy Attorney General  
3 JARED M. FROST (Bar No. 11132)  
Senior Deputy Attorney General  
4 State of Nevada  
Office of the Attorney General  
5 555 East Washington Avenue  
Suite 3900  
6 Las Vegas, Nevada 89101  
(702) 486-3177 (phone)  
7 (702) 486-3773 (fax)  
Email: jfrost@ag.nv.gov  
8  
9 Attorneys for Defendants Taerik Berry,  
Yaqub Mustafaa, Jeremiah Schultz,

10  
11  
12  
13 UNITED STATES DISTRICT COURT  
14 DISTRICT OF NEVADA

15 CHRISTOPHER A. JONES,  
16 Plaintiff,

17 vs.

18 HOWARD SKOLNIK, et al.,  
19 Defendants.

Case No. 3:10-cv-00162-LRH-VPC

DECLARATION OF COUNSEL

20  
21 I, JARED M. FROST, hereby declare, based on personal knowledge and/or  
22 information and belief, that the following assertions are true:

23 1. I am a Senior Deputy Attorney General employed by the Nevada Attorney  
24 General in the Litigation Division, and I make this declaration in support of Defendants'  
25 Unopposed Motion To Excuse The Participation Of Jared M. Frost At The July 2017  
26 Settlement Conference.

27 2. I currently reside in the Las Vegas area and would be required to travel to  
28 attend the July 2017 settlement conference scheduled in this matter for July 11, 2017. In

1 the event that I am required to personally participate at the conference, the State would  
2 be required to absorb the related travel, lodging, and meal costs.

3 3. All remaining Defendants in this matter have consented to joint  
4 representation, and Chief Deputy Attorney General Clark Leslie will therefore be able to  
5 adequately represent the interests of all Defendants at the settlement conference.

6 4. On June 27, 2017, I spoke with Plaintiff by phone and discussed my intent to  
7 file this request to be excused from participating at the July 2017 settlement conference.  
8 Plaintiff indicated that he did not oppose the request.

9 Pursuant to 28 U.S.C. section 1746, Declarant certifies, under penalty of perjury,  
10 that the foregoing is true and correct.

11 DATED this 27th day of June, 2017.

12 ADAM PAUL LAXALT  
13 Attorney General

14 By: /s/ Jared M. Frost  
15 JARED M. FROST (Bar No. 11132)  
16 Senior Deputy Attorney General

17 Attorneys for Defendants  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28